

## **REMARKS**

Further and favorable reconsideration is respectfully requested in view of the foregoing amendments and following remarks.

Entry of the amendments is proper under 37 CFR §1.116, because the amendments place the application in condition for allowance and do not raise any new issue requiring further search and/or consideration. The amendments are necessary and were not earlier presented, because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

Claims 5, 7 and 8 are pending in this application.

Claim 5 has been amended to recite “Mg 0.36 - 0.5”. Support for this amendment can be found in Table 2 on pages 4-5 of the specification.

### **I. Personal Interview**

Applicants appreciate the courtesies extended to Applicants’ attorney by Examiner Yang and Supervisory Examiner King during the personal interview held December 13, 2011.

During the interview, Applicants’ attorney asserted that the claimed aluminum alloy would not have been obvious over the cited references, because the primary reference (Parson et al., US 6,440,359) teaches away from an amount of Mg of “0.35 - 0.5” wt%, as recited in previously presented claim 5. The reference teaches that the Mg content of the alloy is set at “0.2 - 0.34” wt%, and that extrusion pressure increases with Mg content and becomes unacceptable at high Mg content (see col. 2, lines 59-63 of the reference). Moreover, the background section of the reference explains why the Mg content should be below 0.35 wt% in the reference’s alloy.

Supervisory Examiner King agreed that the reference teaches away from the claimed range, but stated that claim 5 should be slightly narrowed to “0.36 - 0.5”, because the reference discloses 0.35 wt% of Mg in the background section and Fig. 7. Accordingly, Examiner King suggested amending claim 5 to recite “Mg ~~0.35~~0.36 - 0.5”. He agreed that support for an Mg content of 0.36 - 0.5 wt% can be found in Table 2 of the present specification.

Applicants have carefully considered the comments and suggestions made during the personal interview, and have amended claim 5 accordingly.

## **II. Claim Rejection Under 35 U.S.C. § 103**

The Examiner has rejected claims 5, 7 and 8 under 35 U.S.C. § 103(a) as being unpatentable over Parson et al.(US 6,440,359) in view of Ohyama et al. (US 6,355,090). As applied to the amended claims, Applicants respectfully traverse the rejection.

As discussed above, during the personal interview, the Examiners agreed that amending claim 5 to recite “Mg 0.36 - 0.5” distinguishes over the cited references, because Parson et al. teach away from this amount of Mg.

Therefore, claims 5, 7 and 8 would not have been obvious over the references.

Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

## **III. Conclusion**

For these reasons, Applicants take the position that the presently claimed invention is clearly patentable over the applied references.

Therefore, in view of the foregoing amendments and remarks, it is submitted that the rejection set forth by the Examiner has been overcome, and that the application is in condition for allowance. Such allowance is solicited.

Respectfully submitted,

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